

Senator Latimer nominated Charles DeMorse.

Vote taken, result as follows :

	<i>Votes.</i>
J. G. Tracy.....	8
Tracy & Siemering.....	6
Charles DeMorse.....	4
Tracy & Quick.....	1

The joint election was as follows :

	<i>Votes.</i>
J. G. Tracy.....	57
Tracy & Siemering ..	6
Charles DeMorse.....	22
Tracy & Quick.....	1
C. T. Gorland.....	1
Hamilton Stuart.....	1
Total.....	88

J. G. Tracy having received a majority of the votes cast, was, by the Speaker of the House of Representatives, declared the duly elected State Printer.

On motion of Senator Mills the Senate adjourned to its chamber.

IN SENATE.

Upon motion of Senator Alford, the Senate adjourned until ten o'clock to-morrow.

EIGHTH DAY'S PROCEEDINGS.

SENATE CHAMBER,
AUSTIN, February 16, 1870.

Senate met pursuant to adjournment.

Lieutenant-Governor J. W. Flanagan presiding.

Roll called; quorum present.

Minutes of yesterday read and approved.

Report of Committee on Contested Elections.

AUSTIN, February 16, 1870.

Hon. J. W. FLANAGAN,

President of the Senate:

SIR: Your Committee upon Contested Elections, after careful consideration of the case of S. W. Ford vs. A. J. Evans, of the Nineteenth Senatorial District, beg leave to submit the following report to your honorable body:

Counsel for S. W. Ford charged that the election of A. J. Evans was procured by and through intimidation practiced upon colored voters in Falls county, and announced themselves prepared to enter upon trial. Counsel for A. J. Evans objected, and asked for delay on the ground that he had not received notice that his seat was to be contested, and was therefore unprepared to make a defense. In answer, S. W. Ford urged the committee to proceed, alleging that A. J. Evans had been served with notice, together with a full statement of the grounds upon which his seat was to be contested, in compliance with the statute in such cases provided.

Upon investigation of the testimony presented, the committee decided that it was in proof that A. J. Evans had been duly served with notice, and ample time afforded him to prepare for trial. Upon these facts the committee decided that the complaint of A. J. Evans could only have been made for the purpose of evasion or delay, and the committee therefore refused to grant the request, and at once proceeded with the trial, and after a full and impartial examination of the witnesses and investigation of the testimony, decided that the election of A. J. Evans to a seat in the Senate from the Nineteenth Senatorial District was procured through intimidation or threatened violence practised upon colored voters in the county of Falls.

The instances of intimidation, threats of life, loss of employment and social ostracism that were rife in many counties in this State, against voters who sought to exercise a free ballot, would, if unrebuked, subvert republican government.* Such attempted terrorism is the very mockery of freedom. The flagrant example in the county of Falls, and its swift rebuke by this body, will serve as a warning to those who have heretofore maintained their rule and the suppression of the spirit of progress, by threatenings and terror. Such will know hereafter that a seat in a Texas Legislature, obtained by an attempt to coerce a free expression of political sentiment of whatever party, shall not profit the perpetrators of such an intolerable wrong against public policy and republican institutions.

The committee therefore recommend that the Hon. S. W. Ford be admitted to a seat in your honorable body.

Respectfully submitted,

THOS. H. BAKER,
Chairman.

Senator Fountain moved the adoption of the report.

Carried.

Senator Flanagan moved that Senator Ford be invited to qualify and take his seat.

Carried.

Senator Ford then took the required oath and seat in the Senate.

The President announced a communication from Mr. A. J. Evans, which, upon motion of Senator Mills, was read.

Senator Douglas moved the communication be spread upon the minutes of this body.

Lost.

Senator Bowers moved that the Senate adjourn until ten o'clock to-morrow.

Carried.

NINTH DAY'S PROCEEDINGS.

SENATE CHAMBER,
AUSTIN, Thursday, February 17, 1870.

Senate met pursuant to adjournment.

Lieutenant-Governor J. W. Flanagan presiding.

Roll called; quorum present.

Minutes of yesterday read and approved.

On motion of Senator Ruby, Senator Rawson was allowed to record his vote on the Fifteenth Amendment.

There being no objections, Senator Rawson was recorded voting "aye."

On motion of Senator Flanagan, Senator Gaines was allowed to record his vote on the Fifteenth Amendment, voting "aye."

Senator Latimer moved to adjourn until to-morrow morning at ten o'clock, A. M.